



**Court Services and Offender Supervision Agency
for the District of Columbia**

OPERATIONAL INSTRUCTION

Operational Instruction CSS-2008-04

Policy Area: Supervision

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GPS Monitoring and Discovery of No GPS Tracking Points

I. COVERAGE

This Operational Instruction applies to Community Supervision Officers (CSOs), Supervisory Community Supervision Officers (SCSOs), and Branch Chiefs (BCs). This operational instruction provides direction on actions to be taken when an offender placed on GPS attempts to disguise his or her movements in the community by tampering with the GPS device, excluding the cutting off of the GPS bracelet or failure to charge the GPS device.

II. BACKGROUND

The offender population is very creative. Offenders have learned that wrapping the GPS device in aluminum foil can make the GPS tracking points untraceable and disappear. Offenders also may devise other methods to deter GPS detection. Until technology is implemented to address this issue, CSOs must be vigilant in reviewing offenders' GPS tracks on a daily basis so that this act of non-compliance can be quickly identified and sanctioned.

III. GUIDANCE

On a daily basis, it is imperative that the CSO check the GPS tracks of assigned offenders placed on GPS to determine if any GPS tracking points are missing for an extended period of time where the reason cannot be attributable to the offender cutting off the GPS bracelet or failing to charge the GPS device. An extended period of time is for 15 minutes or greater. If the offender cuts off the GPS device or fails to charge the GPS device, an automatic violation is created, and the CSO and SCSO receive an automatic e-mail. Similarly, if the offender tampers with the GPS device, such as by wrapping the GPS device in aluminum foil, an automatic violation is created and the CSO and SCSO receive an automatic e-mail. One can assume that an offender who attempts to thwart the GPS signal may be engaging in criminal activity that the offender does not want to be known to the Agency or the Metropolitan Police Department (MPD). Therefore, it is critical that the CSO review the GPS tracking points on a daily basis to determine if any are missing.

A. Discovery of Missing GPS Tracking Points

Upon the CSO discovering that an offender on GPS is missing GPS tracking points, the CSO is to contact the GPS unit staff to determine if there was any GPS system issues with that offender's GPS device. Upon confirmation that the missing GPS tracking points are not attributable to the bracelet being cut off, or the GPS unit not being charged, the CSO is to immediately contact the offender and direct the offender to report into the office to address this issue via sanctioning. The CSO, duty officer, SCSO, or BC should see the offender the same day the missing GPS tracking points are discovered, if possible.

If the offender is unable to report into the office the same day that the missing GPS tracking points discovery is made, the CSO is to instruct the offender to report into the office on the next business day morning and is to give the offender a reporting time. If the offender fails to report in as directed, the CSO is to conduct an accountability tour with the MPD, informing the MPD that the offender is on GPS and appears to be thwarting the GPS signal.

B. Appropriate Sanctions

Upon the offender reporting into the office, the CSO is to discuss with the offender the issue of the missing GPS tracking points to determine if the offender has any explanation for the missing GPS tracking points. The CSO also should ask the offender about his or her whereabouts over the period that the GPS tracking points are missing and record the offender's response in the running record. The CSO also should have the GPS technician check the offender's GPS device to ensure it is fully functional or call the GPS technician to determine if there were any system issues during the period in which no GPS tracks were recorded.

If the CSO, in consultation with the SCSO, determines there is probable cause to believe that the offender may have purposefully tampered with the GPS tracking device, the CSO should consider suspending the offender from the community via the Halfway Back, ReEntry Sanction Center, or a recommendation for short term jail sanction from the Sentencing Judge. One can assume that the offender's efforts to thwart the GPS signal is being done as the offender is engaging in activity that he or she does not want to be known to the Agency or MPD.

In summary, a response short of revocation needs to be imposed on these offenders. Continued and persistent infractions will require notification via an Alleged Violation Report (AVR) to the releasing authority to revoke the community supervision status of the offenders.